

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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LEWIS EDWARD BYRD III,

Plaintiff,

v.

VERNON COUNTY SHERIFF OFFICE, et al.

Defendants.

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ORDER

Case No. 17-cv-191-jdp

Plaintiff Lewis Edward Byrd, an inmate in the custody of the Vernon County Jail, has filed a proposed civil complaint. Plaintiff is an inmate and, therefore, subject to the 1996 Prisoner Litigation Reform Act. Plaintiff has requested leave to proceed without prepayment of the filing fee and submitted several jail receipts to support this request. Plaintiff's jail receipts are insufficient to determine whether plaintiff qualifies for indigent status because they are not an actual account statement that shows deposits and balances.

For this case to proceed, plaintiff must submit a certified trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint no later than April 7, 2017. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Lewis Edward Byrd may have until April 7, 2017 to submit a certified trust fund account statement for the period beginning approximately

September 9, 2016 and ending approximately March 9, 2017. If, by April 7, 2017, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 15th day of March, 2017.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge